

## **REMARKS**

### **I. Introduction**

This is in response to the Office Action mailed October 17, 2006. With the addition of claims 78 to 118 herein, claims 33, 34, 36, 37, 40-55, 57, 58, 61-118 are currently pending. For the reasons discussed below, it is submitted that all pending claims 33, 34, 36, 37, 40-55, 57, 58, 61-118 are in condition for allowance.

### **II. Rejection of Claims 50-52 Under 35 U.S.C. § 112**

Claims 50-52 were rejected under 35 U.S.C. § 112. As suggested by the Office Action, claims 50-52 have been amended to provide antecedent basis for the term "organization." Withdrawal of this rejection is therefore respectfully requested.

### **III. Rejection of Claims 33, 34, 37, 48-55, 58, and 69-74 Under 35 U.S.C. § 103(a)**

Claims 33, 34, 37, 48-55, 58, and 69-74 stand rejected under 35 U.S.C. § 103(a) as obvious over [http://web.archive.org/web/\\*/http://donate.net](http://web.archive.org/web/*/http://donate.net) (Jan. 25, 1999 or April 28, 1999) ("[www.donate.net](http://www.donate.net)") in view of the October 9, 1987 United Way article ("United Way Article"). Applicants respectfully submit that the combination of [www.donate.net](http://www.donate.net) and the United Way Article do not render the presently pending claims obvious for at least the following reasons.

Nowhere does the combination of [www.donate.net](http://www.donate.net) and the United Way Article disclose, or even suggest, the limitations of independent claims 33, 54, and 74. For example, the combination of [www.donate.net](http://www.donate.net) and the United Way Article does not disclose the hosting of a website including a plurality of linked web pages, or contacting third parties via electronic messages soliciting charitable donations, or providing one or more reports, on the website, including information on the status of the fundraising campaign, as required by claim 33, or a system or a program product for accomplishing same, as required by claims 54 and 74, respectively.

[www.donate.net](http://www.donate.net) merely includes contact information for the Conscious Change organization and three lines of text: (i) "Make a secure on-line donation to one of the charitable organizations we serve," (ii) "Learn why it's time to power up your site with secure on-line donations using services provided by Conscious Change," and (iii) "Members Only Account Management." The icons on the referenced archived web pages are not available. None of the text even mentions generation of website with reports or emails to third parties.

The United Way Article, entitled "With One Month to Go, United Way is Almost on Target," does not remedy the above-noted deficiencies of [www.donate.net](http://www.donate.net). Nor is the United Way Article relied upon by the Office Action to remedy such deficiencies.

To the extent the Office Action is relying on the present day website for [www.donate.net](http://www.donate.net), Applicants respectfully request that the Examiner provide a copy of the page(s) being relied upon and also establish that the content on such page predates Applicant's priority date of August 11, 2000. The page numbers provided, for example, on page 5 of the Office Action seem to refer to the present day [www.donate.net](http://www.donate.net) site (given that the archived pages are only single documents) but it is not clear which particular pages are being referenced as the actual website pages are not numbered. It is noted that the present day [www.donate.net](http://www.donate.net) website bears a 2007 copyright notice on the bottom of the home page and each linked page. The only page of the present day [www.donate.net](http://www.donate.net) site that seems to even mention customized emails sent by volunteers relates to the "Any-A-Thon" product, which is specifically stated to be a new product. This "Any-A-Thon" page also bears a 2007 copyright notice on the bottom.

Claims 34, 37, and 48-53 depend from claim 33 and therefore include all of the limitations of claim 33. Claims 55, 58, and 69-72 depend from claim 54 and therefore include all of the limitations of claim 54. Claim 74 depends from claim 73 and therefore includes all of the limitations of claim 73. Therefore, Applicants respectfully submit that claims 34, 37, and 48-53, and claims 55, 58, and 69-72, and claim 74 are allowable for at least the reasons provided above in support of the patentability of claims 33, 54, and 73, respectively.

Therefore, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection of Claims 36 and 57 Under 35 U.S.C. § 103(a)**

Claims 36 and 57 were rejected under 35 U.S.C. § 103(a) as obvious over the combination of [www.donate.net](http://www.donate.net), the United Way Article, and United States Patent No. 6,760,727 ("Schroeder et al."). Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

Schroeder et al. purportedly relate to a system for customer information management and methods for using same. Applicants respectfully submit that Schroeder et al. do not remedy all of the above-noted deficiencies of [www.donate.net](http://www.donate.net) and the United Way Article. Nor are Schroeder et al. relied upon by the Office Action to remedy these deficiencies of [www.donate.net](http://www.donate.net) and the United Way Article.

Claim 36 depends from independent claim 33 and therefore includes all the limitations of claim 33. Claim 57 depends from independent claim 54 and therefore includes all the limitations of claim 54. Accordingly, it is respectfully submitted that these dependent claims are allowable for at least the same reasons provided above in support of the patentability of independent claims 33 and 54, respectively.

In view of all of the foregoing, it is respectfully submitted that the combination of www.donate.net, the United Way Article, and Schroeder et al. does not render obvious claims 36 and 57. Therefore, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 36 and 57 are respectfully requested.

**V. Rejection of Claims 40-42, 44, 61-63, and 65 Under 35 U.S.C. § 103(a)**

Claims 40-42, 44, 61-63, and 65 were rejected under 35 U.S.C. § 103(a) as obvious over the combination of www.donate.net, the United Way Article, and the July 31, 1997 FAO Schwartz article ("FAO Schwartz Article"). Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

Applicants respectfully submit that FAO Schwartz Article, entitled "FAO Schwartz to open Flagship Store in Orlando," does not remedy all of the above-noted deficiencies of www.donate.net and the United Way Article. Nor is the FAO Schwartz article relied upon by the Office Action to remedy these deficiencies of www.donate.net and the United Way Article.

Claims 40-42 and 44 depend from independent claim 33 and therefore include all the limitations of claim 33. Claims 61-63 and 65 depend from independent claim 54 and therefore include all the limitations of claim 54. Accordingly, it is respectfully submitted that these dependent claims are allowable for at least the same reasons provided above in support of the patentability of independent claims 33 and 54, respectively.

In view of all of the foregoing, it is respectfully submitted that the combination of www.donate.net, the United Way Article, and the FAO Schwartz Article does not render obvious claims 40-42, 44, 61-63, and 65. Therefore, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 40-42, 44, 61-63, and 65 are respectfully requested.

**VI. Rejection of Claims 40, 44, 61, and 65 Under 35 U.S.C. §103(a)**

Claims 40, 44, 61, and 65 were rejected under 35 U.S.C. §103(a) as obvious over the combination of www.donate.net, the United Way Article, and the Spring 1996 Marketing

Management article ("High Hurdles Article"). Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

Applicants respectfully submit that the High Hurdles Article, entitled "High Hurdles," does not remedy all of the above-noted deficiencies of www.donate.net and the United Way Article. Nor is the High Hurdles Article relied upon by the Office Action to remedy these deficiencies of www.donate.net and the United Way Article.

Claims 40 and 44 depend from independent claim 33 and therefore include all the limitations of claim 33. Claims 61 and 65 depend from independent claim 54 and therefore include all the limitations of claim 54. Accordingly, it is respectfully submitted that these dependent claims are allowable for at least the same reasons provided above in support of the patentability of independent claims 33 and 54, respectively.

In view of all of the foregoing, it is respectfully submitted that the combination of www.donate.net, the United Way Article, and the High Hurdles Article does not render obvious claims 40, 44, 61 and 65. Therefore, withdrawal of the 35 U.S.C. §103(a) rejection and allowance of claims 40, 44, 61, and 65 are respectfully requested.

## **VII. Rejection of Claims 43 and 64 Under 35 U.S.C. § 103(a)**

Claims 43 and 64 were rejected under 35 U.S.C. § 103(a) as obvious over the combination of www.donate.net, the United Way Article, and the April 15, 1998 Fundraising Auction article ("Fundraising Auction Article"). Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

Applicants respectfully submit that the Fundraising Auction Article does not remedy all of the above-noted deficiencies of www.donate.net and the United Way Article. Nor is the Fundraising Auction Article relied upon by the Office Action to remedy these deficiencies of www.donate.net and the United Way Article.

Claim 43 depends from independent claim 33 and therefore includes all the limitations of claim 33. Claim 64 depends from independent claim 54 and therefore includes all the limitations of claim 54. Accordingly, it is respectfully submitted that these dependent claims are allowable for at least the same reasons provided above in support of the patentability of independent claims 33 and 54, respectively.

In view of all of the foregoing, it is respectfully submitted that the combination of www.donate.net, the United Way Article, and the Fundraising Auction Article does not render obvious claims 43 and 64. Therefore, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 43 and 64 are respectfully requested.

#### **VIII. Rejection of Claims 45, 47, and 66 Under 35 U.S.C. § 103(a)**

Claims 45, 47, and 66 were rejected under 35 U.S.C. § 103(a) as obvious over the combination of www.donate.net, the United Way Article, and the December 1986 McBrearty article ("McBrearty Article"). Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

Applicants respectfully submit that the McBrearty Article, entitled "What's Ahead for Telemarketing," does not remedy all of the above-noted deficiencies of www.donate.net and the United Way Article. Nor is the McBrearty Article relied upon by the Office Action to remedy these deficiencies of www.donate.net and the United Way Article.

Claims 45 and 47 depend from independent claim 33 and therefore include all the limitations of claim 33. Claim 66 depends from independent claim 54 and therefore includes all the limitations of claim 54. Accordingly, it is respectfully submitted that these dependent claims are allowable for at least the same reasons provided above in support of the patentability of independent claims 33 and 54, respectively.

In view of all of the foregoing, it is respectfully submitted that the combination of www.donate.net, the United Way Article, and the McBrearty Article does not render obvious claims 45, 47, and 66. Therefore, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 45, 47, and 66 are respectfully requested.

#### **IX. Rejection of Claims 46, 67, and 68 Under 35 U.S.C. § 103(a)**

Claims 46, 67, and 68 were rejected under 35 U.S.C. § 103(a) as obvious over the combination of www.donate.net, the United Way Article, the McBrearty Article, and U.S. Patent No. 5,675,507 ("Bobo, II") or Published International Patent Application No. WO 99/53657. Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

Bobo, II purportedly relates to a message storage and delivery system. WO 99/53657 purportedly relates to a communications system and a method for transmitting data. Applicants respectfully submit that neither Bobo, II nor WO 99/53657 remedy all of the above-noted deficiencies of www.donate.net and the United Way Article. Nor are Bobo, II or WO 99/53657 relied upon by the Office Action to remedy these deficiencies of www.donate.net and the United Way Article.

Claim 46 depends from independent claim 33 and therefore includes all the limitations of claim 33. Claims 67 and 68 depend from independent claim 54 and therefore

include all the limitations of claim 54. Accordingly, it is respectfully submitted that these dependent claims are allowable for at least the same reasons provided above in support of the patentability of independent claims 33 and 54, respectively.

In view of all of the foregoing, it is respectfully submitted that the combination of www.donate.net, the United Way Article, and Bobo, II or WO 99/53657 does not render obvious claims 46, 67, and 68. Therefore, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 46, 67, and 68 are respectfully requested.

**X. Rejection of Claims 75-77 Under 35 U.S.C. § 103(a)**

Claims 75-77 were rejected under 35 U.S.C. § 103(a) as obvious over the combination of www.donate.net, the United Way Article, the McBrearty Article, and Bobo, II or WO 99/53657. Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

Nowhere does the combination of www.donate.net, the United Way Article, the McBrearty Article, Bobo, II or WO 99/53657 disclose, or even suggest, the limitations of claims 75-77. For example, the combination of www.donate.net, the United Way Article, the McBrearty Article, and Bobo, II or WO 99/53657 does not disclose the hosting of a website including a plurality of linked web pages, generating a personalized donation web page and a link to this page, and contacting third parties via email, as required by claim 75. Nor does the combination of cited references disclose, or even suggest, a website including a plurality of linked web pages, one or more links to personalized donation web pages, and means for contacting third parties soliciting donations, as required by claim 76. Further, the combination of references cited does not disclose, or even suggest, the hosting of a website including a plurality of linked web pages, providing a link to a personal donation page in one or more email messages to third parties from a solicitor registered on the website, the personal donation page having a campaign goal and the name of the solicitor, as required by claim 77.

As indicated above, the cited archived web pages of www.donate.net include only three sentences, which in no way disclose, or even suggest, the above claim features. Nor do Bobo, II or WO 99/53657 remedy all of the above-noted deficiencies of www.donate.net and the United Way Article. Neither Bobo, II nor WO 99/53657 are relied upon by the Office Action to remedy these deficiencies of www.donate.net and the United Way Article.

In view of all of the foregoing, it is respectfully submitted that the combination of www.donate.net, the United Way Article, and Bobo, II or WO 99/53657 does not render

obvious claims 75-77. Therefore, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claims 75-77 are respectfully requested.

**XI. New Claims 78-118**

New claims 78-118 have been added herein. No new matter has been added. Applicants respectfully submit that claims 78-118 are patentable over the cited references because they do not disclose, or even suggest, all of the limitations of claims 78-118. For example, the combination of references cited does not disclose the generation of a website with information regarding a fundraising campaign, or contacting campaign participants and/or potential supporters via email, or a system or program product for accomplishing these steps, as required by claims 78-118. Allowance of these claims is, therefore, respectfully requested.

**XII. Conclusion**

In view of the above amendments and remarks, it is respectfully submitted that all of the presently pending claims 33, 34, 36, 37, 40-55, 57, 58, and 61 to 118 are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,



Dated: January 17, 2008

---

KENYON & KENYON LLP  
By: Richard M. Rosati  
(Reg. No. 31,792)  
Kenyon and Kenyon LLP  
One Broadway  
New York, NY 10004  
(212) 425-7200  
**CUSTOMER NO. 26646**